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Title: Director of Public Works requests revising the currently executed Contract for Construction for the "Spanish Flat Equipment Yard Repair Project", RDS 20-53, Napa County Agreement Number 220358B, which would decrease the amount from \$211,932 to \$127,082 due to a reduced scope of work through a deductive contract change order.

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TO: Board of Supervisors

FROM: Steven Lederer-Director of Public Works

REPORT BY: John Vicencio-Associate Engineer

SUBJECT: Spanish Flat Equipment Yard Repair Project, RDS 20-53 - Request to Reduce Scope of Work of Construction Contract and approval of a Deductive Change Order

RECOMMENDATION

Director of Public Works requests revising the currently executed Contract for Construction for the "Spanish Flat Equipment Yard Repair Project," RDS 20-53, Napa County Agreement Number 220358B, which would decrease the amount from \$211,932 to \$127,082 due to a reduced scope of work through a deductive contract change order.

EXECUTIVE SUMMARY

The Napa County Spanish Flat Corporation Yard, used primarily for storage and staging of Roads equipment and vehicles, was damaged by the 2020 LNU Complex Fire. The carport structure, the asphalt pad underneath the structure, electrical, and sections of fencing around the yard were damaged by fire and required repairs.

On April 19, 2022, the Board of Supervisors (BOS) approved plans and specifications and authorized the advertisement for the “Spanish Flat Equipment Yard Repair Project,” RDS 20-53. One bid was submitted and opened on May 19, 2022, with a bid of \$197,532 plus Additive Alternate #1 for \$14,400 for a total of \$211,932 from R O Construction of Lower Lake, CA.

In preparation for construction activities, existing non-fire related structural deficiencies of the carport structure were identified. Upon review, Public Works in concert with insurance determined that removal of the structure and specific site repairs would be more cost-effective and best suit the needs of the Roads department.

Per Public Contract Code and Napa County Policy the BOS is required to authorize change orders in excess of 25 percent of the original contract (additive or deductive). Staff request approval for the BOS to authorize the Director of Public Works to sign a net deductive change order to reduce the executed contract amount from \$211,932 to \$127,082 (40% deductive).

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Project 21062 (Fund 3000, Org 3000550). It is anticipated that insurance will reimburse the full costs for removal of the structure along with other miscellaneous site repairs. County staff time will not be reimbursed.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Napa County Spanish Flat Corporation Yard suffered damage to the carport structure and surrounding area. Due to structural fire damage and existing structural deficiencies, removal of the structure and miscellaneous repairs are needed. It is anticipated these costs will be reimbursed by insurance.
Is the general fund affected?	Yes
Future fiscal impact:	It is anticipated that work will be completed in fiscal year 22-23.
Consequences if not approved:	If removal or repairs are not performed, unsafe work conditions for County staff will remain.
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

During the 2020 LNU Lighting Complex Fire, the Napa County Spanish Flat corporation yard experienced fire damage that destroyed several vehicles, equipment, and damaged the carport structure and the surrounding fencing.

On January 26, 2021, Staff requested an initial budget of \$35,000, the bulk of which would provide for removing the damaged vehicles and equipment from the site as well as preliminary review of the carport structure. To date, the damaged equipment and fire debris has been removed or contained onsite awaiting final removal.

On January 25, 2022, Staff requested an additional budget transfer of \$50,000 to allow for continued clean up, design, and development of bid documents in order to perform the anticipated repairs to the carport structure and surrounding area.

On April 19, 2022, the Board of Supervisors approved plans and specifications for the " Spanish Flat Equipment Yard Repair Project," RDS 20-53, and authorized Public Works to advertise for sealed bids and for opening of the bids at a time, date, and location to be published by the Director of Public Works pursuant to Section 20150.8 of the Public Contract Code.

On May 19, 2022, bids were opened. Staff recommended awarding the contract to R O Construction of Lower Lake, CA. for their lowest responsive base bid of \$197,532 with Additive Alternate #1 of \$14,400 for a total cost of \$211,932. Staff also requested a budget transfer from the 2020 Lightning Fire Complex budget (Fund 1000, Org 1058006) and Roads Operations budget (Fund 2040, Org 2040000) to the Public Works Capital Improvement Program budget (Fund 3000, Org 3000550) project 21062.

After BOS approval, preliminary construction activities were conducted by the Contractor who identified existing non-fire related structural deficiencies to the carport structure. After reviewing these deficiencies and fire damages with the Contractor, Public Works staff, and insurance provider, a revised scope of work was developed along with associated costs, which will result in a more cost-effective project that best suits the needs of the Roads department. The reduction in scope will consist of the removal and disposal of the carport structure, rebuilding the existing asphalt equipment pad, and repairing sections of the existing perimeter fencing which is the same scope as the original contract except that it does not replace the existing carport structure due to the pre-existing non-fire related structural deficiencies identified in the carport structure. Restoring the non-fire related structural deficiencies would not be covered by insurance and would result in a structure that is unusable to the Roads department for its intended use.

Per Public Contract Code and Napa County Policy the BOS is required to authorize change orders in aggregate excess of 25 percent of the original contract (additive or deductive). Staff request approval for the BOS to authorize the Director of Public Works to sign a net deductive change order to reduce the executed contract

amount from \$211,932 to \$127,082 (40% deductive). This work is anticipated to be reimbursed by the County's insurance carrier.